REMARKS

Claims 24, 25, 27-31, 50 and 52-60 are pending. Applicants note that the January 28, 2003 Office Action Summary incorrectly omitted claims 28-30 as pending, although these claims were rejected in the substantive action. By this Amendment, claim 50 is amended and new claim 60 is added.

New claim 60 is supported by the specification, for example, at page 20, lines 14-29. No new matter is introduced by the amendment of claim 50 or by new claim 60.

Rejections over Walton

The Examiner rejected claims 24, 27, 29-31, 50, 53, 56, and 59 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,989,157 to Walton (the Walton patent). While the Examiner asserts that the Walton patent anticipates Applicants' claimed invention, Applicants maintain that the Walton patent does not prima facie anticipate Applicants' claimed invention. Applicants respectfully request reconsideration based on the following comments.

To anticipate a claim, a reference must disclose all of the claim elements. See MPEP 2131. With respect to claim 24 and the claims depending from claim 24, the Walton patent, like the Zimmerman patent (U.S. Patent No. 4,998, 981 cited by the Examiner in Office Action dated April 11, 2003), does not disclose the flexing of a joint such that the cursor on a display moves to reach **a target position on the display at a selected, predetermined time**. Therefore, because the Walton patent does not disclose that the cursor on a display moves to reach a target position on the display at a selected, predetermined time, the Walton patent does not prima facie anticipate claim 24 or any of the claims depending from claim 24.

With respect to claim 50 and the claims depending from claim 50, the Walton patent does not disclose motion of the cursor that is correlated with the motion of the joint. See amended claim 50. Rather, any movement of the cursor as disclosed in the Walton patent is due

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to the overall acceleration of the body or body part, and not the motion of the joint. (See U.S. Patent No. 5,989,157 – col. 6, lines 21-31.) In particular, the Walton patent does not disclose positioning of the sensors to measure motion of the joint. Therefore, the Walton patent does not prima facie anticipate claim 50 or any of the claims depending from claim 50.

Applicants respectfully request withdrawal of the rejection of claims 24, 27, 29-31, 50, 53, 56, and 59 under 35 U.S.C. 102(e) as being anticipated by the Walton patent.

Rejections over Stark and Walton

The Examiner rejected claims 24, 25, 50, and 51-52 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,823,975 to Stark (the Stark patent) in view of the Walton patent. While the Examiner asserts that claims are unpatentable over the Stark patent in view of the Walton patent, Applicants maintain that the combination of the Stark patent and the Walton patent does not render claims 24, 25, 50, and 51-52 prima facie obvious. Applicants respectfully request reconsideration based on the following comments.

With respect to claim 24 and the claims depending from claim 24, neither the Waton patent nor the Stark patent teach or suggest moving a cursor to try to reach a position at a selected, predetermined time. Therefore, the combined disclosures of the Walton patent and the Stark patent do not teach or suggest all of the claim elements. Since all of the claim elements do not follow from the teachings of the references, the combined disclosures of the Stark patent and the Walton patent do not render claim 24 prima facie obvious.

With respect to claim 50 and the claims depending from claim 50, neither the Stark patent nor the Walton patent discloses motion of a cursor that is correlated with the motion of the joint. Therefore, the combined disclosures of the Stark patent and the Walton patent do not render claim 50 or claims depending from claim 50 of Applicants' invention prima facie obvious.

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Applicants respectfully request withdrawal of the rejection of claims 24, 25, 50, and 51-52 under 35 U.S.C. 103(a) as being unpatentable over the Stark patent in view of the Walton patent.

Rejections over Walton

The Examiner rejected claims 54 and 55 under 35 U.S.C. 103(a) as being unpatentable over the Walton patent. However, the deficiencies of the Walton patent with respect to independent claim 50 have been discussed above. For the same reasons, the Walton patent does not render claims 54 and 55 prima facie obvious. Applicants respectfully request withdrawal of the rejection of claims 54 and 55 under 35 U.S.C. 103 as being unpatentable over the Walton patent.

Rejections over Walton and Kramer

The Examiner rejected claims 27, 31 and 57-58 under 35 U.S.C. 103(a) as being unpatentable over the Walton patent in view of U.S. Patent 6,059,506 to Kramer (the Kramer patent). While the Examiner asserts that the claims are unpatentable over the Walton patent in view of the Kramer patent, Applicants maintain that the combination of the Walton patent and the Kramer patent does not render claims 27, 31 and 57-58 prima facie obvious. Applicants respectfully request reconsideration based on the following comments.

As noted above, the Walton patent is deficient with respect to both independent claims 24 and 50. The Kramer patent does not disclose the flexing of a joint such that the cursor on a display moves to reach a target position on the display at a selected, predetermined time, and therefore not make up for any of the deficiencies of the Walton patent with respect to claim 24. Moreover, the Kramer patent does not disclose motion of a cursor that is correlated with the motion of the joint and therefore not make up for any of the deficiencies of the Walton patent

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with respect to claim 50. As such, the combined disclosures of the Walton patent and the Kramer patent do not render Applicants' claimed invention prima facie obvious. Applicants do not comment on other issues raised with respect to the disclosure of the Kramer patent, although they do not acquiesce in these assertions, since they are presently moot. Applicants respectfully request withdrawal of the rejection of claims 27, 31 and 57-58 under 35 U.S.C. 103(a) as being unpatentable over the Walton patent in view of the Kramer patent.

Rejections Over Walton and Pitkanen

The Examiner rejected claim 28 under 35 U.S.C. 103(a) as being unpatentable over the Walton patent in view of U.S. Patent 4,556,216 to Pitkanen (the Pitkanen patent). While the Examiner asserts that the claims are unpatentable over the Walton patent in view of the Pitkanen patent, Applicants maintain that the combination of the Walton patent and the Pitkanen patent does not render claim 28 prima facie obvious. Applicants respectfully request reconsideration based on the following comments.

Applicants have described the deficiencies of the Walton patent with respect to independent claim 24. The Pitkanen patent likewise does not disclose the flexing of a joint such that the cursor on a display moves to reach a target position on the display at a selected, predetermined time, and therefore not make up for any of the deficiencies of the Walton patent with respect to claim 24 and the claims depending from claim 24. Therefore, the combined disclosures of the Walton patent and the Pitkanen patent do not render claim 28 prima facie obvious. Applicants do not comment on other issues raised with respect to the disclosure of the Walton patent, although they do not acquiesce in these assertions, since they are presently moot. Applicants respectfully request withdrawal of the rejection of claim 28 under 35 U.S.C. 103(a) as being unpatentable over the Walton patent in view of the Pitkanen patent.

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CONCLUSIONS

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

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